

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

HEIDI K. WERBIN,

Plaintiff,

v.

CAROLINE W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

Case No. 13-5863 BHS-KLS

REPORT AND RECOMMENDATION

This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the stipulated motion for remand. (ECF #20). After reviewing the parties' stipulated motion and the remaining record, the undersigned recommends that the Court grant the parties' motion, and remand this matter to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

This Court recommends that on remand:

- The ALJ will conduct a new hearing, further develop the record and issue a new decision;
- The ALJ will reevaluate and further develop the medical evidence of record;
- The ALJ will reevaluate steps two and three of the sequential evaluation process;
- The ALJ will reevaluate Plaintiff's credibility pursuant to SSR 96-7p;
- The ALJ will reevaluate Plaintiff's RFC pursuant to SSR 96-8p, and;

- The ALJ will reevaluate steps four and five of the sequential evaluation process with the assistance of a vocational expert, as necessary.

Upon proper presentation, this Court will consider Plaintiff's application for costs and attorney's fees under 28 U.S.C. § 2412(d).

Given the fact of the parties' stipulation, the Court recommends that the District Judge immediately approve this Report and Recommendation and order the case **REVERSED** and **REMANDED**. A proposed order accompanies this Report and Recommendation.

DATED this 10<sup>th</sup> day of April, 2014.



Karen L. Strombom  
United States Magistrate Judge